

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BOSTON HEART DIAGNOSTICS  
CORPORATION,

Plaintiff,

v.

HEALTH DIAGNOSTICS  
LABORATORY, INC.,

Defendant.

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Civil Action No. 13-cv-13111-IT

ORDER

November 14, 2014

TALWANI, D.J.

Before the court is Plaintiff Boston Heart Diagnostics Corporation's ("BHDX") Motion to Lift the Stay and Re-Open the Case [#42]. In its motion and memorandum in support, BHDX avers that the only ground for the stay was the pending re-examination of one of its patents, which has now concluded, and requests that the court set an expedited schedule for discovery and trial. Defendant Health Diagnostics Laboratory, Inc. does not oppose lifting the stay in the case, but opposes BHDX's request for an expedited schedule.

Upon review of the motion and papers submitted by the parties, the court hereby GRANTS IN PART and DENIES IN PART BHDX's motion. The stay in this case shall be lifted, and BHDX's request for an expedited schedule is denied without prejudice. BHDX may move for an expedited schedule at the scheduling conference that will be held pursuant to Federal Rule of Civil Procedure 16(b).

IT IS SO ORDERED.

/s/ Indira Talwani  
United States District Court